CUMULATIVE INDEX

This index covers material in THE JOURNAL OF TAXATION, Volume 82, January-June 1995. Indexes are published twice annually, in June and December.

Accounting

Annuities subject to OID rules if not issued by insurers, 82 JTAX 361, June95

Blizzard of Regulations: accounting changes, 82 JTAX 66, Feb95

Expenses related to failed merger defense held to be deductible despite *INDOPCO*, *by Richard M. Lipton and Ryan R. Brenneman*, 82 JTAX 26, Jan95

Final business hedging Regs. are a big improvement, but hard questions are unresolved, *by Steven D. Conlon and Peter J. Connors*, 82 JTAX 18, Jan95

Final Regs. explain asset grouping for depreciation, 82 JTAX 30, Jan95

Interest capitalization final Regs. make significant changes for real and personal property, *by W. Eugene Seago and Frederick M. Richardson*, 82 JTAX 350, June95

IRS abused discretion in requiring small contractor to give up cash method, 82 JTAX 258, May95

IRS doesn't waiver—regular tax AGI is to be used in AMTI calculations, 82 JTAX 2, Jan95

IRS throws in the towel on the investment interest carryover limitation, 82 JTAX 195, Apr95

Many questions remain on applying mark-to-market rules to affiliated groups, *by Robert M. Elwood, Glenn N. Eichen, and Lynne A. Brzezenski*, 82 JTAX 154, Mar95

New OID Proposed Regulations control debt instruments with contingent payments, *by Gary A. Herrmann, Kenneth G. Whyburn, and George G. Wolf*, 82 JTAX 206, Apr95

NOL carryback cannot be split for regular tax and AMT, 82 JTAX 314, May95

Prop. Regs. explain rules for contingent payment instruments, 82 JTAX 89, Feb95

Revenue Procedure offers a second chance at choosing UNICAP elections, *by W. Eugene Seago*, 82 JTAX 82, Feb95

Stock redemption to avoid takeover was not deductible, 82 JTAX 30, Jan95

Structured payment for legal fees not income until receipt, 82 JTAX 89, Feb95

Two courts apply mitigation rules to time-barred refunds, 82 JTAX 314, May95

Compensation & Benefits

Albertson's reversed by Ninth Circuit—interest element is not deductible, 82 JTAX 3, Jan95

Amendments to $1 million cap Prop. Regs. helpful but more complex than was hoped, *by Catherine L. Creech*, 82 JTAX 140, Mar95

Blizzard of Regulations: employee plans, 82 JTAX 67, Feb95

Correction and filing periods clarified, 82 JTAX 249, Apr95

Deadlines extended for plan adoptions and letter requests, 82 JTAX 54, Jan95

Exclusion of part-timers may violate participation rules, 82 JTAX 106, Feb95

Form over substance: Retiree without QDRO taxed on distribution to ex-spouse, 82 JTAX 195, Apr95

Has IRS reached the end of the actuarial audit trail?, 82 JTAX 259, May95

IRS finally wins partial, Pyrrhic victory in actuarial assumption dispute, 82 JTAX 130, Mar95

IRS resets plan limits for benefits, contributions, etc., 82 JTAX 144, Mar95

Letter of credit securing benefits affected tax timing, 82 JTAX 54 Jan95

New IRS guidance on changing among types of qualified plans, 82 JTAX 108, Feb95

Nonqualified stock plans can be adapted to meet the needs of privately held companies, *by James R. Hamill*, 82 JTAX 100, Feb95

Payroll tax guidance issued for deferred compensation, 82 JTAX 54, Jan95

Relief provided for unencumbered in-kind contributions, 82 JTAX 249, Apr95

Rules eased for discontinuation of consolidated filing, 82 JTAX 153, Mar95

Voluntary correction program for defective 403(b) plans, 82 JTAX 323, June95

Withholding no longer required for Section 83 deduction, 82 JTAX 144, Mar95

Corporations, Shareholders

Asset transfers absent 338 election—new Prop. Regs., 82 JTAX 218, Apr95

Blizzard of Regulations: corporations, 82 JTAX 67, Feb95

Consolidated return final Regulations augment and modify normal E&P rules, *by Steven K. Rainey and Michael H. Frankel*, 82 JTAX 68, Feb95

Consolidated return final Regulations delink stock basis and E&P, *by Steven K. Rainey and Michael H. Frankel*, 82 JTAX 4, Jan95

Final holding period Regs. for dividends-received deduction, 82 JTAX 276, May95

IRS revises Prop. Regs. on stock basis adjustments in triangular reorganizations, *by Jasper L. Cummings, Jr., and James S. Eustice*, 82 JTAX 324, June95

"Painless" consent removes collapsible corporation risk if capital gains tax is cut, *by Robert Willens*, 82 JTAX 214, Apr95

Section 382 book-closing rules present significant planning opportunities, *by James D. Lockhart*, 82 JTAX 146, Mar95

Taxpayers have more planning flexibility in reorganizations after *Seagram*—if it survives, *by Gilbert D. Bloom*, 82 JTAX 334, June95

Using the installment method to report gain on Section 338(h)(10) deemed asset sales, *by Donald T. Williamson*, 82 JTAX 272, May95

Estates, Trusts, & Gifts

Can a judicial forum be obtained for estate tax deferral disputes?, *by Henry C. Darmstadter III and G. Patrick Jennings*, 82 JTAX 74, Feb95

Claims of sons from prior marriage were deductible by estate, 82 JTAX 312, May95

Expectation of later gifts disqualified disclaimers, 82 JTAX 348, June95

Family limited partnerships can leverage the annual exclusion and unified credit, *by Samuel Weiner and Steven D. Leipzig*, 82 JTAX 164, Mar95

How much liability would a transferee have if a transferee had transferee liability?, 82 JTAX 194, Apr95

Is income tax payment by grantor-owner of a Subpart E trust a taxable gift?, *by John B. Huffaker, Edward Kessel, and Lynne M. Sindoni*, 82 JTAX 202, Apr95

Planning for lapsing rights and restrictions—the impact of Section 2704 on valuation, *by Jerald David August*, 82 JTAX 342, June95

Retirement fund assets can be protected through the use of charitable remainder trusts, *by Neal P. Myerberg*, 82 JTAX 38, Jan95

Tax Court appoints heir as special administrator to conduct litigation, 82 JTAX 2, Jan95

TC bars reduction in value of property due to selling costs, 82 JTAX 80, Feb95

Unitrust had UBTI after stock became partnership units, 82 JTAX 312, May95

Exempt

Blizzard of Regulations: private foundations, 82 JTAX 67, Feb 95

IRS revises rules for private business use of facilities financed by tax-exempt bonds, *by Charles C. Cardall and Edwin G. Oswald*, 82 JTAX 278, May95

Service suggests new physician incentive rules for hospitals, 82 JTAX 284, May95

Short sale stock was not debt-financed property for UBTI, 82 JTAX 286, May95

Fraud & Negligence

Congress loosens Supreme Court's interpretation of "specific intent," *by Kathryn Keneally*, 82 JTAX 110, Feb95

Failure to explain refusal to waive penalty was abuse of discretion, but so what?, 82 JTAX 131, Mar95

Taxpayer's absence did not shift IRS burden on fraud, 82 JTAX 115, Feb95

Third-party lender liability Prop. Regs. have lower cap, extended collection period, 82 JTAX 3, Jan95

International

Changes in U.S.-Canadian tax treaty resolve conflicts and present planning opportunities, *by Bruce N. Lemons, Thomas H. Olson, and L. Alan Rautenberg*, 82 JTAX 42, Jan95

Conduit Proposed Regulations are potent in effect, but limited in scope, *by Alan S. Lederman and Bobbe Hirsh*, 82 JTAX 116, Feb95

Do Section 482 allocations to foreign entities trigger a withholding obligation?, *by Richard C. Stark and Michael E. Baillif*, 82 JTAX 178, Mar95

IRS will let some foreign corporations return to their previously used tax year, 82 JTAX 259, May95

New guidance on PFIC exceptions for foreign banks and securities dealers, 82 JTAX 323, June95

Oops! Tax Court now says use of partnership does not avoid Subpart F income, 82 JTAX 130, Mar95

Prop. Regs. on computing credit for deemed-paid FTC, 82 JTAX 183, Mar95

Regs. deferring group's interest deduction invalid, 82 JTAX 122, Feb95

Revised procedures proposed for Competent Authority relief, 82 JTAX 131, Mar95

Legislation

Bankruptcy Reform Act includes tax-related provisions, 82 JTAX 58, Jan95

Tax changes included with GATT accord, 82 JTAX 2, Jan95

Letter Rulings

Abandonment loss for nonoperational nuclear plant, 82 JTAX 52, Jan95

Basis allocated to remainder and lead interests in land, 82 JTAX 184, Mar95

Characterization of qualified stock carries forward, 82 JTAX 185, Mar95

Charitable deduction allowed for defeasible gift, 82 JTAX 52, Jan95

Co-generation contract resulted in capital gain, 82 JTAX 51, Jan95

Consecutive reorgs. in acquisition were tax free, 82 JTAX 377, June95

Corporate shell can survive Section 332 liquidation, 82 JTAX 124, Feb95

Developer's transfer of land to state was charitable donation, 82 JTAX 123, Feb95

Disclaimer did not change the character of residuary assets, 82 JTAX 246, Apr95

Exception to the NOL limitation anti-stuffing rule, 82 JTAX 378, June95

Exempt org. could be general partner in low-income housing, 82 JTAX 52, Jan95

Exempt's exchange of donor mailing lists resulted in UBTI, 82 JTAX 247, Apr95

Flexibility allowed in structured settlement terms, 82 JTAX 53, Jan95

Foreign sub with losses did not become a PFIC, 82 JTAX 184, Mar95

Grandfathered GST status survives sale of interest in trust, 82 JTAX 310, May95

Interest remains tax-free despite new use of bond proceeds, 82 JTAX 51, Jan95

Litigation costs were deductible as circulation expenses, 82 JTAX 125, Feb95

Lobbying not attributed to exempt limited partner, 82 JTAX 310, May95

No aggregation of business assets for like-kind exchange, 82 JTAX 246, Apr95

No income tax deduction for estate tax loan interest, 82 JTAX 248, Apr95

NOL carryover from closed year may be increased, 82 JTAX 247, Apr95

No $25,000 passive activity exception for short rentals, 82 JTAX 309, May95

Payment for forming a partnership was ordinary income, 82 JTAX 377, June95

CUMULATIVE INDEX

Payments on old home were not income to relocated employee, 82 JTAX 186, Mar95

Prior inversion transaction ruling revoked by IRS, 82 JTAX 309, May95

Reduced operating cost not a benefit subject to *INDOPCO*, 82 JTAX 378, June95

Rental payments from second-tier sub were not UBTI, 82 JTAX 311, May95

Retirement plan had to cover part-time employees, 82 JTAX 309, May95

Separate accounting for "bargain" in 351 inventory transfer, 82 JTAX 123, Feb95

Service says LLC members are subject to SE tax, 82 JTAX 50, Jan95

Software development costs did not qualify as R&E, 82 JTAX 184, Mar95

Special-use value allowed despite plan to develop land, 82 JTAX 53, Jan95

Stock under option attributed, barring R&D credit, 82 JTAX 377, June95

Swap of fractional for whole interests is tax-free exchange, 82 JTAX 186, Mar95

Unresolved issues remain for ten-year NOL carrybacks, 82 JTAX 50, Jan95

Partnerships, S Corporations, & LLCs

Blizzard of Regulations: pass-through entity developments, 82 JTAX 66, Feb95

Comprehensive guidance on S corporation built-in gains tax limits use of losses, *by Michael S. Lux*, 82 JTAX 266, May95

How 15-year amortization and other RRA '93 changes affect planning for retiring partners, *by Robert A. Snyder, Jr., and Christopher C. Adler*, 82 JTAX 12, Jan95

IRS finally spells out LLC conversion consequences in a published Ruling, 82 JTAX 322, June95

IRS improves partnership anti-abuse Regs., but major problems remain, *by Richard M. Lipton*, 82 JTAX 132, Mar95

IRS provides welcome certainty in the classification of LLCs as partnerships, *by John G. Schmalz and Samuel P. Starr*, 82 JTAX 260, May95

LIFO recapture tax issues remain despite new Regulations and a Revenue Procedure, *by Ronald S. Ross and John L. Kramer*, 82 JTAX 92, Feb95

New liquidating bond distribution and short sale rules, 82 JTAX 271, May95

New Prop. Regs. for contributions with built-in gain, loss, 82 JTAX 139, Mar95

"Partnership adjustment" settlement agreement did not bar refund claim, 82 JTAX 194, Apr95

Prop. Regs. use "management rights" litmus test for LLC members' SE tax liability, *by Stuart Levine and Marshall B. Paul*, 82 JTAX 196, Apr95

Recent changes will have burdensome impact on securities partnerships, *by Chester W. Grudzinski, Jr.*, 82 JTAX 368, June95

Section 469 applied to distributions in excess of basis, 82 JTAX 200, Apr95

Service considers letting unincorporated organizations choose their tax status, 82 JTAX 258, May95

Personal

Award for union's failure to represent member was tax free, 82 JTAX 187, Mar95

Cases illustrate nature and level of investment activities needed to attain trader status, *by Avi O. Liveson*, 82 JTAX 290, May95

Inflation-adjusted rates, travel, and other deductions, 82 JTAX 187, Mar95

Medicare HI tax becomes a factor in planning for compensation and SE income, *by Jeffrey J. Bryant*, 82 JTAX 32, Jan95

Rollover rules for disaster insurance proceeds clarified, 82 JTAX 294, May95

Sale treatment for viatical settlements of life insurance, *by John Freeman Blake*, 82 JTAX 35, Jan95

Self-employeds deduct health insurance again; IRS advice for those filing early, 82 JTAX 322, June95

Tax Court rejects athlete's shifting of salary to PSC, 82 JTAX 293, May95

Taxpayers can get IRS verification of value of donated art, 82 JTAX 188, Mar95

When a donation becomes complete can affect deduction timing and capital gains tax, *by Jonathan G. Tidd*, 82 JTAX 228, Apr95

Procedure

Accountant's reports on transfer pricing were privileged, 82 JTAX 242, Apr95

Background file request fees revised for Ltr. Ruls., TAMs, 82 JTAX 304, May95

Blizzard of Regulations: procedural improvements, 82 JTAX 67, Feb95

CA-6 imposes timely filing requirement on IRS in bankruptcy, 82 JTAX 302, May95

Close-mouthed taxpayer couldn't benefit retroactively from closing agreement, 82 JTAX 194, Apr95

Code provided no remedy for private party's disclosure, 82 JTAX 304, May95

Electronic filing procedures updated, 82 JTAX 244, Apr95

If you paid someone else's taxes, you may be able to sue IRS for a refund, 82 JTAX 322, June95

IRS's choice of remedy for recovering an erroneous refund determines taxpayer's response, *by Burk E. Bishop*, 82 JTAX 296, May95

Judgment in refund suit does not bar deficiency notice, 82 JTAX 240, Apr95

Malpractice action period for slipped DISC filing began with assessment, 82 JTAX 259, May95

New procedures for handling 1099–tax return discrepancies, 82 JTAX 242, Apr95

No notice needed to inspect same records for another year, 82 JTAX 58, Jan95

Service's posting error allowed taxpayer to get double benefit for tax payment, 82 JTAX 131, Mar95

Service updates Coordinated Examination Program rules, 82 JTAX 57, Jan95

Three-year-old summons enforced—no harm from delay, 82 JTAX 241, Apr95

Three-year refund S/L applied to post-notice return, 82 JTAX 304, May95

What special guidance does IRS give agents for audits of attorneys?, *by C. Frederick Reish, James R. McDaniel, and Dennis Duitch*, 82 JTAX 234, Apr95

When (and where) does the *Danielson* rule limit taxpayers arguing 'substance over form'?, *by Michael Baillif*, 82 JTAX 362, June95

Real Estate

Broad view of "production" led to capitalization, 82 JTAX 224, Apr95

Can nonrecourse debt in excess of FMV be included in the basis of inherited realty?, *by Sally M. Jones*, 82 JTAX 220, Apr95

New audit guidelines for rehabilitation tax credit, 82 JTAX 225, Apr95

Nonpassive rental real estate rules explained by IRS, 82 JTAX 226, Apr95

Shop Talk

Are lawyers in LLCs exempt from self-employment taxes?, 82 JTAX 190, Mar95

Courts disagree on substantial authority, 82 JTAX 380, June95

Did RRA '93 repeal Section 736(a)?, 82 JTAX 318, May95

Fidelity blames tax code complexity for $2.6 billion error, 82 JTAX 253, Apr95

IRS bows to courts on investment interest carryovers, 82 JTAX 317, May95

IRS chastised for litigating $55 item, 82 JTAX 254, Apr95

IRS concedes community property bankruptcy case, 82 JTAX 381, June95

Letter ruling held relevant authority in malpractice case, 82 JTAX 255, Apr95

LLP announcements: Damage control, 82 JTAX 127, Feb95

More on LLCs and LLPs in California, 82 JTAX 318, May95

More on Michael Jordan's basketball, 82 JTAX 127, Feb95

More on recovery of administrative costs under Section 7430, 82 JTAX 126, Feb95

More on SE tax calculations, 82 JTAX 63, Jan95

No Regs.? Appellate court cites letter ruling against IRS, 82 JTAX 380, June95

Section 1258 Prop. Regs. raise questions, 82 JTAX 253, Apr95

Tax program glitch? Penalties, interest reimbursed, 82 JTAX 317, May95

Two puzzlers from a practitioner, 82 JTAX 381, June95

Will IRS's "bait and switch" invalidate passive loss Regs.?, 82 JTAX 61, Jan95

Special Industries

NOL ordering Regs. upheld again as CA-7 rebuffs Tax Court, 82 JTAX 177, Mar95

Tax-free incorporation rules apply to the formation of an insurance company subsidiary, *by Mark H. Kovey and Biruta P. Kelly*, 82 JTAX 172, Mar95

AUTHOR INDEX

Christopher C. Adler....12
Jerald David August....342
Michael E. Baillif....178, 362
Burk E. Bishop....296
John Freeman Blake....35
Gilbert D. Bloom....334
Ryan R. Brenneman....26
Jeffrey J. Bryant....32
Lynne A. Brzezenski....154
Charles C. Cardall....278
Steven D. Conlon....18
Peter J. Connors....18
Catherine L. Creech....140
Jasper L. Cummings, Jr....324
Henry C. Darmstadter III....74
Dennis Duitch....234
Glenn N. Eichen....154
Robert M. Elwood....154
James S. Eustice....324
Michael H. Frankel....4, 68
Chester W. Grudzinski, Jr....368
James R. Hamill....100
Gary A. Herrmann....206
Bobbe Hirsh....116
John B. Huffaker....202
G. Patrick Jennings....74
Sally M. Jones....220
Biruta P. Kelly....172
Kathryn Keneally....110
Edward Kessel....202
Mark H. Kovey....172
John L. Kramer....92
Alan S. Lederman....116
Steven D. Leipzig....164
Bruce N. Lemons....42
Stuart Levine....196
Richard M. Lipton....26, 132
Avi O. Liveson....290
James D. Lockhart....146
Michael S. Lux....266
James R. McDaniel....234
Neal P. Myerberg....38
Thomas H. Olson....42
Edwin G. Oswald....278
Marshall B. Paul....196
Steven K. Rainey....4, 68
L. Alan Rautenberg....42
C. Frederick Reish....234
Frederick M. Richardson....350
Ronald S. Ross....92
John G. Schmalz....260
W. Eugene Seago....82, 350
Lynne M. Sindoni....202
Robert A. Snyder, Jr....12
Richard C. Stark....178
Samuel P. Starr....260
Jonathan G. Tidd....228
Samuel Weiner....164
Kenneth G. Whyburn....206
Robert Willens....214
Donald T. Williamson....272
George G. Wolf....206